

Mr Neil Robins
Chairman
Parish Council
Horsmonden
Kent

21 August 2000

Reply to:
Grattan Puxon
1 John Harper Street
Colchester C01 1RP
Phone: 01206 523 528

HORSMONDEN FAIR

Dear Mr Robins,

I'm at the disadvantage of not having been at the 20th July meeting about the Fair and so have not yet met you personally.

The position at the moment, unfortunately, is that we – the Romanies on one side and you on the other – appear to be on a collision course.

Our representatives, led Mr Charles Smith and Mrs Josie Lee, came away from the meeting with the clear impression that, however reluctantly, you and Chief Insp Hope conceded that the holding of a picnic on the Green (without any trading) would not contravene any law.

We therefore discussed with our members having such a compromise event this year, to keep the tradition alive, while the permanent future of the Fair could be discussed in detail and any problems sorted out.

But your application, through Tunbridge Wells Borough Council, to the Home Office for an Order in effect prohibiting the Fair, appears to rule out any reasonable compromise (though I'm proposing one or two later in this letter).

Our first reaction has been to consult lawyers and I enclose the Advice received from Mr Mark Willers, Barrister. Our solicitor, Mr Chris Johnson, of the Community Law Partnership, Ruskin Chambers, 191 Corporation Street, Birmingham B4 6RD (phone 0121 685 8595) is now preparing for a Judicial Review application opposing the Order.

Meanwhile, I have written to Chief Insp Hope pointing out, on legal advice, that should roadblocks be set up (with or without an "exclusion" Order) we will be entitled to station our Stewards at each such point to inform our people of their legal rights and to direct them to any lawful events we may be organizing.

In the longer term, and it appears this issue will go on from year to year until we reach an agreeable settlement, the request for such an Order looks like becoming a matter for international law. The Traveller Law Research Unit at Cardiff University is of the opinion that your would-be Order is a piece of blatant racial discrimination and contravenes sections of EU law (freedom of movement), European Human Rights legislation and treaties and the new UK Human Rights Act.

A conference has already been set up for 20th September at Friends House, Euston, with lawyers Ms Rachel Morris and Mr Luke Clements to agree upon steps to prepare for a case before the European Court of Human Rights. We already have four cases before the Court, i.e. Chapman v UK etc.

We also have the ongoing support of the European Roma Rights Center Advisory Board, Lord Lester of Herne Hill QC, and on the political side Lord Avebury, and the Prague-based International Romani Union, to which we are affiliated.

Currently working together on the preservation of Horsmonden Fair are the National Romani Rights Association, president Mr Eli Frankham, the Romany Guild, headed by Mr Tom Lee, and the Gypsy Council, chairman Mr Charles Smith.

Even at this late hour, we are ready and willing to meet and talk with ^{you} On our side we would like to discuss having a limited use of the Green on 10th September for a picnic, to mark the traditional gathering; to hold a peaceful parade through the village and to invite both sides to a public meeting, possibly in the Parish Hall (such a meeting would include Romanies residing in and around Horsmonden).

These proposals would, we feel, go a long way to defusing a situation which is becoming quite fraught as the Fair day approaches. The holding of a so-called "alternative" at Dartford, twenty miles away, I'm sorry to say just does not fill the bill. Certainly some stallholders are going there and Romanies will be going to have a look but it's being regarded as just another carboot sale. We are coming to Horsmonden and if something attractive and worthwhile, such as our proposed family picnic, parade with horse-drawn vehicles and public meeting in the Parish Hall, does not meet with your approval a chance for amicable co-operation will be lost.

I look forward to hearing from you.

Yours sincerely,

Grattan Puxon
Executive Committee
Gypsy Council